

**Amendments to the Drawings:**

Attached are replacement sheets for drawing Figs. 2A and 3. Fig. 2A was revised by adding to it reference numeral 97. Fig. 3 was revised by changing "LYP" to "LVP", by adding reference letter "R" along the top line of the drawing figure, and by changing reference numerals 94 to 94' and 98' to 98".

Attachment: Replacement Sheets

**REMARKS/ARGUMENTS**

The specification has been revised to conform it to the preferred format for U.S. patent applications as required in the Office Action, and a Substitute Specification and Comparison Copy are submitted herewith.

Claims 18-24 and 38 are pending in this application. Claim 1 has been amended. Claim 38 is new. Claims 25-37 have been withdrawn.

Claim 18 was rejected under Section 112, second paragraph because of the presence of the phrase "for example" on line 2 which rendered the claim indefinite. The entire phrase in question, namely "for example the R-R peaks of an electrocardiogram of a person", has been deleted from claim 18 and is being resubmitted as new claim 38. Accordingly, applicants request that this Section 112 rejection be retracted.

Claims 18-24 were rejected for anticipation by Lapanashvili (WO 01/13990).

On or about February 2, 2008, applicants filed a Petition for Unintentionally Delayed Priority Claim to reinstate a priority claim which was originally inadvertently omitted. In connection therewith, applicants have paid the Petition fee of \$1,370.

The Petition sets forth that through a string of continuations and divisions, as is set forth on page 3 of the Supplemental ADS, the present application is a CIP of Application No. 09/378,181 filed August 20, 1999.

The Lapanashvili reference over which the claims of the present application were rejected (WO 01/13990) was filed August 14, 2000 (subsequent to the August 20, 1999 priority date for the present application) and was published March 1, 2001, more than one and a half years subsequent to the priority date for the present application. In view thereof, WO 2001/13009 A1 is not an effective prior art reference against the present application.

Applicants therefore request that the anticipation rejection of claims 18-24 be withdrawn and that the claims be allowed.

In connection with the drawings, the Office Action objected to the use of “34” to designate both the display and the electrocardiogram. Applicants have revised page 20, line 2 of the application (paragraph [0064] of the Substitute Specification) and changed reference numeral “34” to “32” so that the ending phrase of that paragraph now reads “...the electrocardiogram 32.”

The Office Action further observed that the “... dotted lines” represented by number 98 are not shown in the drawings. Fig. 2A has been amended to show reference numeral 97 for the dotted line, and on page 33, line 16 (paragraph [0110] of the Substitute Specification) reference numeral “98” has been changed to “97”.

The Office Action additionally objected to drawing Fig. 3. Applicants have complied with the Examiner’s suggestion and changed “LYP” to “LVP” and changed the reference numerals in the section denoted “B” in Fig. 3 from 94 and 98’ to 94’ and 98”.

The foregoing revisions to the drawings and specification address and overcome all formality objections by appropriately amending the drawings and/or the specification as discussed above.


In the context of drawing revisions, applicants point out that Fig. 3 was additionally clarified by identifying the peaks of the electrocardiogram (curve 86 in Fig. 3) with the letter “R”. Additionally, the letter “T” was added to Fig. 3 in the upper left-hand corner to identify the T-wave there in the same manner in which it is identified in the other sections of Fig. 3.

CONCLUSION

In view of the foregoing, this application is in condition for allowance, and a corresponding notification at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,

  
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